



## CITY COUNCIL WORKSHOP AND REGULAR SESSION - MINUTES

Thursday, December 15, 2022 at 5:45 PM

City Hall | 3300 Corinth Parkway

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### STATE OF TEXAS COUNTY OF DENTON CITY OF CORINTH

On this, the 15th day of December 2022, the City Council of the City of Corinth, Texas, met in Workshop & Regular Session at the Corinth City Hall at 7:00 P.M., located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place, and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

#### **Council Members Present:**

Bill Heidemann, Mayor  
Sam Burke, Mayor Pro Tem  
Scott Garber, Council Member  
Tina Henderson, Council Member  
Steve Holzwarth, Council Member  
Kelly Pickens, Council Member

#### **Staff Members Present:**

Scott Campbell, City Manager  
Lana Wylie, City Secretary  
Patricia Adams, City Attorney  
Jerry Garner, Police Chief  
Chad Thiessen, Fire Chief  
Lee Ann Bunselmeyer, Director of Finance & Strategic Services  
Glenn Barker, Director of Public Works  
John Webb, Director of Development Services  
Elise Back, Director of Economic Development  
Michelle Mixell, Planning Manager  
George Marshall, City Engineer  
Melissa Dolan, Parks, Recreation & Strategic Asset Manager  
Haley Koehler, Senior Administrative Assistant  
Shea Rodgers, Chief Technology Officer  
Sam Kading, Police Officer

#### **CALL TO ORDER**

Mayor Heidemann called the Workshop Meeting to order at 5:45 P.M.

#### **WORKSHOP AGENDA**

1. Receive a report, hold a discussion, and give staff direction on solid waste collection services.  
Gary Roemer, President of Community Waste Disposal, presented and the item was discussed.

2. Receive a report, hold a discussion, and provide staff direction on the Capital Improvement Program.

The item was presented and discussed.

3. Review and hold a discussion on potential amendments to the Sign Regulations of the Unified Development Code.

The item was presented and discussed.

4. Receive a report and hold a discussion of the activities of the Corinth Economic Development Corporation for the preceding nine months.

The item was presented and discussed.

5. Discuss items on the Regular Session Agenda, including the consideration of Executive Session items.

Item 12 was discussed. The developer requested the item be continued to the Public Hearing until January 19, 2023.

### **ADJOURN WORKSHOP**

Mayor Heidemann adjourned the Workshop Session at 6:50 P.M.

### **CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE**

Mayor Heidemann called the Regular Session Meeting to order at 7:00 P.M. Pastor Chris Respass of Antioch Church delivered the invocation.

### **PROCLAMATIONS AND PRESENTATIONS**

1. Recognition of Girl Scout Gold Award recipient – Piper Davison.

Mayor Heidemann read and presented Piper Davison with a Proclamation honoring her Gold Award achievement.

2. Present Award of Exemplary Action – Rick Turner.

This item was moved to January 19, 2023.

### **CITIZENS COMMENTS**

Please limit your comments to three minutes. Comments about any of the Council agenda items are appreciated by the Council and may be taken into consideration at this time or during that agenda item. Council is prohibited from acting on or discussing items brought before them at this time.

No comments were made.

### **CONSENT AGENDA**

All matters listed under the consent agenda are considered to be routine and will be enacted in one motion. Should the Mayor or a Council Member desire discussion of any item, that item will be removed from the Consent Agenda and will be considered separately.

3. Consider and act on an Interlocal Agreement between Denton County and the City of Corinth, on behalf of the Lake Cities Fire Department (LCFD), to provide Ambulance Services to the unincorporated parts of Denton County that are within the boundaries of the LCFD response area.
4. Consider and act on an interlocal agreement between Denton County and the City of Corinth, on behalf of the Lake Cities Fire Department (LCFD), to provide Fire Protection Services to the unincorporated parts of Denton County that are within the boundaries of the LCFD response area.
5. Consider and act on a Memorandum of Understanding (MOU) between the City of Corinth Police Department and Smith County, Texas to access the Electronic Recovery and Access to Data (ERAD) Recovery Product, through the existing contract between Smith County and the Criminal District Attorney's Office and ERAD Group, Inc. (EGI) and Smith County.
6. Consider and act on a contract with Rangeline Utility Services, LLC, for the installation of fire hydrants along Pecan Circle in the amount not to exceed \$117,190.25 and authorize the City Manager to execute the necessary documents.
7. Consider and act on an agreement between the City of Corinth and the Lake Cities Soccer Association for the 2023 Co-Sponsorship for youth soccer and authorize the City Manager to execute the necessary documents.
8. Consider and act on an agreement between the City of Corinth and the Lake Cities Girls Softball Association for the 2023 Co-Sponsorship for youth softball and authorize the City Manager to execute the necessary documents.
9. Consider and act on an Ordinance amending Section 52.07, Garbage Collection Fees, of the Corinth Code of Ordinances relating to charges for certain refuse and recycling services; providing that this ordinance shall be cumulative of all ordinances of the City of Corinth; providing a savings clause; and providing an effective date.
10. Consider and act on the abandonment of Drainage and Sanitary Sewer Easement, Instrument Number 2015-108323, in relation to the relocated utilities with the Ashford Park Development by Meritage Homes of Texas, LLC.

Motion made by Council Member Garber to approve the Consent Agenda as presented. Seconded by Council Member Henderson.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

## **PUBLIC HEARING**

11. Conduct a Public Hearing to consider testimony and act on a rezoning request by the Applicant, Greystar Development Central, LLC, to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code of the City, from MX-C Mixed Use Commercial to a Planned Development comprised of two (2) base zoning districts consisting of MF-3 Multi-Family Residential (Tract 1), on approximately 25.12 acres and MX-C Mixed Use Commercial (Tract 2) on approximately 7.56 acres, with the collective site acreage totaling approximately 32.68 acres, located on the north side of Lake Sharon Drive between I-35E and Corinth Parkway. Case No. ZAPD22-0004 – Corinth Groves.

This item was on the Agenda as Item 12 and discussed before Item 11.

The applicant requested the Public Hearing be continued to the City Council Meeting on January 19, 2023.

Mayor Heidemann opened the Public Hearing at 7:10 P.M.

Motion made by Mayor Pro Tem Burke to continue the Public Hearing to the January 19, 2023, City Council Meeting at 6:30 P.M. Seconded by Council Member Garber.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

Mayor Heidemann closed the Public Hearing at 7:11 P.M.

12. Conduct a Public Hearing to consider testimony and act on an ordinance for a rezoning request by the Applicant, Skorburg Company, to amend the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code of the City, from SF-2 Single Family Residential to a Planned Development with a base zoning district of MF-1 Multi-Family Residential, on approximately 14.16 acres generally located on the east side of North Corinth Street, south of Shady Shores Road, and north of North Central Texas College. Case No. ZAPD22-0003 – Greenway Trails.

The item was presented and discussed, including a presentation from the developer.

**View comments via Audio/Video: Video.**

For the Planned Development:

Lawrence Worden, 3301 Benbrook Cove, Corinth  
Edward Beaver, 3307 Attaway Cove, Corinth  
Edward Church, 3300 Attaway Dove, Corinth

Against the Planned Development:

Bob and Kathy Baker, 1121 North Corinth St, Corinth - Did not wish to speak, included the following correspondence:

We oppose this development of multiple family housing as it will take away much of our privacy. We will have an alley on one side and a 'private drive' right behind our house. Once the private drive extends out to Shady Shores Rd it will most likely become a cut through for traffic. The 6ft ornamental fences don't create any privacy or buffer. These should be solid fences at least 8ft tall. We are also worried about the noise, increased traffic, drainage and litter. We already get a significant amount of litter and dirt runoff in our yard and take, especially after a big rain. Properties like ours are getting extremely hard to find and we believe that most Corinth residents do not want more townhomes and apartments.

Mayor Heidemann closed the Public Hearing at 8:01 P.M.

Motion made by Council Member Garber to approve as presented with the following stipulation: Exhibit "G" – Planned Development Standards be revised to include the following additional provision: "Garages shall not front onto Private Drives A, B, C, D and E, and shall be rear accessed by alleys and/or fire lanes only, as specifically depicted on Exhibit "B" – PD Concept Plan. Seconded by Mayor Pro Tem Burke.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

## **BUSINESS AGENDA**

13. Consider and act on the Second Amended Unimproved Property Contract with Wolverine Interest, L.L.C. for the purchase of the 4.705 acres for a mixed-use development.

Motion made by Mayor Pro Tem Burke to approve as presented. Seconded by Council Member Pickens.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

14. Consider and act on the Third Amended Unimproved Property Contract with M.R. Development Corporation and Carleton Development Limited for the purchase of the 7.533 acres for a multifamily development.

Motion made by Council Member Garber to approve as presented. Seconded by Council Member Pickens.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

## **COUNCIL COMMENTS & FUTURE AGENDA ITEMS**

The purpose of this section is to allow each Council Member the opportunity to provide general updates and/or comments to fellow Council Members, the public, and/or staff on any issues or future events. Also, in accordance with Section 30.085 of the Code of Ordinances, at this time, any Council Member may direct that an item be added as a business item to any future agenda.

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**Burke**  
**Holzwarth**  
**Henderson**  
**Pickens**  
**Heidemann**

Mayor Heidemann recessed the Regular Session Meeting at 8:16 P.M.

## **EXECUTIVE SESSION\*\***

In accordance with Chapter 551, Texas Government Code, Section 551.001, et seq., (the “Texas Open Meetings Act”), the City Council will recess into Executive Session (closed meeting) to discuss the following items. Any necessary final action or vote will be taken in public by the City Council in accordance with this agenda.

Mayor Heidemann convened into Executive Session at 8:25 P.M.

**Section 551.071 - Legal Advice.** (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflict with Chapter 551.

a. Unauthorized third-party use of City-owned property and authorization of eviction proceedings.

**Section 551.072 - Real Estate.** To deliberate the purchase, exchange, lease, or value of real property if deliberations in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

**Section 551.074 - Personnel Matters.** To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear a complaint or charge against an officer or employee.

**Section 551.087 - Economic Development.** To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate,

stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business project.

a. Project Agora.

**RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON EXECUTIVE SESSION ITEMS**

Mayor Heidemann recessed the Executive Session at 8:49 P.M. and immediately reconvened into the Regular Session Meeting.


**ADJOURN**

Mayor Heidemann adjourned the Regular Session Meeting at 8:49 P.M.

AYES: All

Meeting adjourned.

Approved by Council on the 19th day of January 2023.

  
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Lana Wylie, City Secretary  
City of Corinth, Texas

